

# Administration for Children and Families

# **Administration on Developmental Disabilities**

Help America Vote Act (HAVA) - Voting Access for Individuals with Disabilities (VOTE) HHS-2011-ACF-ADD-VOTE-0201

**Application Due Date: 08/05/2011** 

# U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES ADMINISTRATION FOR CHILDREN & FAMILIES

**Program Office:** Administration on Developmental Disabilities

**Funding Opportunity Number:** HHS-2011-ACF-ADD-VOTE-0201

Funding Opportunity Title: Help America Vote Act (HAVA) - Voting Access

for Individuals with Disabilities (VOTE)

CFDA Number: 93.617
Due Date for Applications: 08/05/2011

# **Executive Summary**

This announces the availability of Fiscal Year (FY) 2011 funds under the Help America Vote Act (HAVA), Pub.L. No. 107-252, Title II, Subtitle D, Part 2, Sections 261 to 265, Payments to States and Units of Local Government to Assure Access for Individuals with Disabilities (42 U.S.C. 15421-25). This announcement sets forth the requirements and conditions States must meet to receive funds under Sections 261 to 265 of the HAVA.

# **Statutory Authority:**

Awards made under this announcement are authorized by Title II, Subtitle D, Part 2, Sections 261 to 265 of HAVA, Pub.L. No. 107-252 (42 U.S.C. 15421-25).

# **PART I: INTRODUCTION**

The Help America Vote Act (HAVA), signed into law by President George W. Bush on October 29, 2002, contains several provisions that will enable State governments responsible for elections and individuals associated with operating the election process to establish, expand, and improve access to and participation in the election process by individuals with the full range of disabilities (e.g., visual impairments, including blindness, hearing impairments, including deafness; the full range of mobility impairments; including gross and fine motor impairments; emotional impairments; and intellectual impairments).

## A. BACKGROUND

HAVA assigned responsibility for the Voting Access for Individuals with Disabilities (VOTE) program to the Secretary of Health and Human Services (the Secretary), who has delegated responsibility for carrying out this program to the Administration for Children and Families (ACF). Within ACF, the Administration on Developmental Disabilities (ADD) is responsible for the administration of the HAVA VOTE grant program.

# B. ELIGIBLE GRANTEES

As defined by Section 901 of HAVA, States (including the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, and the U.S. Virgin Islands) are eligible to apply for grants under the HAVA VOTE program. Grants are not available to local units of government directly from the Federal Government in Fiscal Year (FY) 2011 because funds have been appropriated only for grants noted as eligible State and Territories.

## C. USE OF FUNDS

Section 261 of HAVA provides that funds be made available to eligible States and Territories to:

- a. Make polling places, including the path of travel, entrances, exits, and voting areas of each polling facility, accessible to individuals with the full range of disabilities (e.g., visual impairments, including blindness; hearing impairments, including deafness; the full range of mobility impairments, including gross and fine motor impairments, emotional impairments, and intellectual impairments);
- b. Provide the same opportunity for access and participation (including privacy and independence) to individuals with the full range of disabilities;
- c. Provide training for election officials, poll workers, and election volunteers on how best to promote the access and participation of individuals with the full range of disabilities in elections for Federal office;
- d. Provide individuals with the full range of disabilities with information about the accessibility of polling places.

# D. AVAILABILITY AND DISTRIBUTION OF FUNDS

For 2011, Congress has appropriated \$12,129,692 for the Voting Access for Individuals with Disabilities (VOTE) grant program for States and \$4,878,304 for payments to Protection & Advocacy Systems (P&As). VOTE payment amounts to States and Territories will be based on reserved amounts computed using the relative size of the voting age population (i.e., number of individuals 18 years and over) of eligible States and Territories, with the exception that no State or Territory applying for funds shall have a reserved amount of less than \$100,000. See

Attachment A found in Part IV of this announcement, for the amount reserved for each State and Territory. In order to receive a payment, a State must meet all of the requirements in Part I, Section C (Use of Funds) of this notice. State governments receiving funds must collaborate with local Chief election officials and local units of government, including Indian Tribes that are involved in conducting elections for Federal offices, in determining the appropriate location and projects for the expenditure of award funds. State governments are encouraged to partner, as appropriate, with for-profit and non-profit organizations, including faith-based and community-based organizations, in carrying out activities that increase access to the electoral process for individuals with disabilities. The Federal Government reserves the right to audit expenditure of

funds received under this announcement pursuant to Section 902 of the HAVA, 42 U.S.C. §15542 and 45 CFR 92.26, where applicable.

#### PART II: APPLICATION INSTRUCTIONS

The information presented in this section is intended to summarize the submission and review of the States' applications for funding and to describe the content and documentation that must be provided in writing with the application.

- 1. Except as noted, the grant must be used for each of the following activities:
  - a. Unless a State submits an assurance that all polling places are accessible, making polling places, including the path of travel, entrances, exits, and voting areas of each polling facility, accessible to individuals with the full range of disabilities.
  - b. Providing the same opportunity for access and participation, including privacy and independence, to individuals with the full range of disabilities as for other voters.
  - c. Training election officials, poll workers, and election volunteers on how best to promote the access and participation of individuals with the full range of disabilities in elections for Federal office.
  - d. Providing individuals with the full range of disabilities with information about the accessibility of polling places.
- 2. In an application, an applicant must provide:
  - a. The name of the State submitting the application.
  - b. The name of the Secretary of State or Chief Election Official of the State submitting the application.
  - c. Contact person: Name, title, address, phone, fax, and e-mail address.
  - d. A description of what the applicant intends to do in each of the four categories of activities outlined under Part II.1. (Note the exception in Part II,1.a. related to assuring that all polling places are accessible.)
  - e. How much of the payment the applicant intends to spend on each of the four categories of activities outlined in Part II,1. (Note the exception in Part II,1.a. related to assuring that all polling places are accessible.)
  - f. An assurance submitted no later than December 31, 2011, stating that the Chief Election Official or his/her designee will submit a report to ADD for the Secretary describing how any funds authorized under HAVA were used with regard to the

four categories of activities (Part I.C. a - d) during the period October 1, 2010 – September 30, 2011. (Note the exception in Part II.1.a. related to assuring the accessibility of all polling places.)

- 3. The application must include the following certifications/assurances:
  - a. The Certification Regarding Lobbying, (45 CFR Part 93) may be found as **Attachment C** of this announcement and is also available at <a href="http://www.acf.hhs.gov/grants/grants-resources.html">http://www.acf.hhs.gov/grants/grants-resources.html</a>.
  - b. The Disclosure of Lobbying Activities form (SF-LLL) may be found under the "Disclosures" heading at <a href="http://www.acf.hhs.gov/grants/grants/resources.html">http://www.acf.hhs.gov/grants/grants/resources.html</a>.

The FY 2011 Assurance for the Help America Vote Act, available as Attachment B in Part IV of this announcement.

- c. Other Certifications: Certification Regarding Environmental Tobacco Smoke. The signature on the application by the Authorizing Official attests to the intent to comply with this Certification, which may be found at <a href="http://www.acf.hhs.gov/grants/grants\_resources.html">http://www.acf.hhs.gov/grants/grants\_resources.html</a>.
- 4. The application must be signed by the Chief Election Official.
- 5. An application should be received no later than the application due date listed in the Overview section at the beginning of this announcement. Applications should be sent to:

Melvenia Wright
U.S. Department of Health and Human Services
Administration for Children and Families
Administration on Developmental Disabilities
370 L'Enfant Promenade, SW.
Mail Stop HHH 405-D
Washington, DC 20447

Hand-delivered applications should be delivered to:

Melvenia Wright
U.S. Department of Health and Human Services
Administration for Children and Families
Administration on Developmental Disabilities
200 Independence Avenue, SW.
Suite 405-D
Washington, DC 20447

Though the award of funds is not predicated upon the receipt of an application, States are encouraged to submit their applications, certifications, and assurances by the application due date listed in the Overview section of this announcement.

## PART III: ADDITIONAL INFORMATION

## **GRANT ADMINISTRATION REGULATIONS**

Federal regulations that govern the administration of these awards will be enumerated in the Terms and Conditions of the award. Awards issued under this announcement are subject to the uniform administrative requirements and cost principles of 45 C.F.R. Part 92 (Grants And Cooperative Agreements To State, Local, And Tribal Governments). The Code of Federal Regulations (C.F.R.) is available at <a href="https://www.gpo.gov/fdsys/">www.gpo.gov/fdsys/</a>.

Direct Federal grants, sub-award funds, or contracts under this ACF program shall not be used to support inherently religious activities such as religious instruction, worship, or proselytization. Therefore, organizations must take steps to separate, in time or location, their inherently religious activities from the services funded under this program. Regulations pertaining to the Equal Treatment for Faith-Based Organizations, which includes the prohibition against Federal funding of inherently religious activities, can be found at: <a href="http://www.gpo.gov/fdsys/">http://www.gpo.gov/fdsys/</a>.

A faith-based organization receiving HHS funds retains its independence from Federal, State, and local governments, and may continue to carry out its mission, including the definition, practice, and expression of its religious beliefs. For example, a faith-based organization may use space in its facilities to provide secular programs or services funded with Federal funds without removing religious art, icons, scriptures, or other religious symbols. In addition, a faith-based organization that receives Federal funds retains its authority over its internal governance, and it may retain religious terms in its organization's name, select its board members on a religious basis, and include religious references in its organization's mission statements and other governing documents in accordance with all program requirements, statutes, and other applicable requirements governing the conduct of HHS funded activities.

## A. DUNS NUMBER AND CCR REGISTRATION REQUIREMENTS

# **DUNS Number Requirement**

All applicants and sub-recipients must have a DUNS number (Data Universal Numbering System) at the time of application in order to be considered for a grant or cooperative agreement. A DUNS number is required whether an applicant is submitting a paper application or using the Government-wide electronic portal, <a href="www.Grants.gov">www.Grants.gov</a>. A DUNS number is required for every application for a new award or renewal/continuation of an award, including applications or plans under formula, entitlement, and block grant

programs. A DUNS number may be acquired at no cost online at <a href="http://fedgov.dnb.com/webform">http://fedgov.dnb.com/webform</a>. To acquire a DUNS number by phone, contact the D&B Government Customer Response Center:

U.S. and U.S Virgin Islands: 1-866-705-5711

Alaska and Puerto Rico: 1-800-234-3867 (Select Option 2, then Option 1)

Monday - Friday 7 a.m. to 8 p.m., c.s.t.

The process to request a D-U-N-S® Number by telephone takes between 5 and 10 minutes.

# Central Contractor Registration (CCR) Requirement

Effective October 1, 2010, HHS requires all entities that plan to apply for and ultimately receive Federal grant funds from any HHS Operating/Staff Division (OPDIV) or receive subawards directly from recipients of those grant funds to:

- Be registered in the CCR prior to submitting an application of plan;
- Maintain an active CCR registration with current information at all times during which it has an active award or an application or plan under consideration by an OPDIV; and
  - Provide its DUNS number in each application or plan it submits to the OPDIV.

An award cannot be made until an applicant has complied with these requirements. At the time an award is ready to be made, if the intended recipient has not complied with these requirements, the OPDIV:

- May determine that the applicant is not qualified to receive an award; and
- May use that determination as a basis for making an award to another applicant.

Additionally, all first-tier subaward recipients (i.e., direct subrecipient) must have a DUNS number at the time the subaward is made

CCR registration may be made online at <a href="www.ccr.gov">www.ccr.gov</a> or by phone at 1-866-606-8220.

There is the possibility of heavy traffic at the CCR website at application due dates. Therefore, applicants are strongly encouraged to register at the CCR well in advance of the application due date. CCR registration must be updated annually. CCR registration must be active and maintained with current information at all times during which an organization has an active award or an application under consideration.

# **B.** REPORTING REQUIREMENTS

States receiving funds under VOTE will prepare and submit annually a narrative report that describes how any funds authorized under HAVA have been used with regard to the four categories of activities authorized under Section 261 of HAVA, 42 U.S.C. § 15421. (Note the exception in Part II, 1.a. for the first category related to assuring that all polling places are accessible.) Annual narrative reports are due no later than December 31 of each year.

# Reports are to be mailed to:

Melvenia Wright
U.S. Department of Health and Human Services
Administration for Children and Families
Administration on Developmental Disabilities
370 L'Enfant Promenade, SW.
Mail Stop HHH 405-D
Washington, DC 20447

Expenditures under the HAVA VOTE program are to be reported using a Financial Status Report Short Form (SF-425). Grantees are required to submit annual financial reports 90 days after the end of each 12-month period (October 1-September 30). Grantees also have the option of submitting their financial reports online through the Online Data Collection (OLDC) system. To receive access to electronic financial reporting, please go to <a href="http://www.acf.hhs.gov/programs/add/lettersmemos/OLDC\_Request\_Form.doc">http://www.acf.hhs.gov/programs/add/lettersmemos/OLDC\_Request\_Form.doc</a> and download the OLDC Request for Access form. Upon completion, please return the form via email to <a href="https://www.acf.hhs.gov">Nathaniel.West@acf.hhs.gov</a>.

SF-425 form in Adobe PDF format, along with instructions, is available at <a href="http://www.whitehouse.gov/omb/grants\_forms">http://www.whitehouse.gov/omb/grants\_forms</a>, <a href="http://www.storms.gov">www.forms.gov</a>, and on the <a href="http://www.storms.gov">ACF Funding</a> <a href="http://www.storms.gov">Opportunity website Forms</a> page.

If not filing via the OLDC system, submit the original SF-425 reports to ACF at the address below:

Nathaniel West, Financial Management Specialist U.S. Department of Health and Human Services Administration for Children and Families Office of Grants Management Division of Mandatory Grants 370 L'Enfant Promenade, SW Washington, DC 20447

#### **Notification Under Executive Order 12372**

This program is covered under Executive Order 12372, "Intergovernmental Review of Federal Programs" and 45 CFR Part 100, "Intergovernmental Review of Department of Health and Human Services Programs and Activities."

## Paperwork Reduction Act of 1995, Pub.L. 104-13

As required by the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520, the public reporting burden for the application and reporting requirements in this notice are estimated to average 24 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection information. The reporting requirements information collection is approved under Office of Management and Budget (OMB) control number 0970-0327, which expires 06/30/2011. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Renewal of OMB control number for the information collection is in process.

For further information or inquiries, please contact:

Melvenia Wright
U.S. Department of Health and Human Services
Administration for Children and Families
Administration on Developmental Disabilities
370 L'Enfant Promenade, SW
Mail Stop HHH 405-D
Washington, DC, 20447
Phone: (202) 690-5557

Fax: (202) 205-8037

E-mail: melvenia.wright@acf.hhs.gov

Date: 7/1/2011 Sharon Lewis Commissioner

Administration on Developmental Disabilities

# **PART IV: ATTACHMENTS**

**Attachment A** – Table of FY 2011 Estimated Allotments

**Attachment B** – FY 2011 Assurances for the Help America Vote Act

**Attachment** C – Certification Regarding Lobbying

This Certification also may be found at http://www.acf.hhs.gov/grants/grants resources.html.

# Attachment A

# FY 2011 ESTIMATED ALLOTMENTS Voting Access for Individuals with Disabilities – States

States	EV 2011		
	FY 2011		
STATE/TERRITORY	Allotment		
Alabama	\$164,797		
Alaska	\$100,000		
Arizona	\$223,901		
Arkansas	\$100,331		
California	\$1,276,146		
Colorado	\$174,793		
Connecticut	\$124,768		
Delaware	\$100,000		
District of Columbia	\$100,000		
Florida	\$666,589		
Georgia	\$333,540		
Hawaii	\$100,000		
Idaho	\$100,000		
Illinois	\$448,056		
Indiana	\$222,519		
Iowa	\$105,636		
Kansas	\$100,000		
Kentucky	\$151,904		
Louisiana	\$155,076		
Maine	\$100,000		
Maryland	\$200,137		
Massachusetts	\$237,565		
Michigan	\$350,776		
Minnesota	\$184,388		
Mississippi	\$100,551		
Missouri	\$209,745		
Montana	\$100,000		
Nebraska	\$100,000		
Nevada	\$100,000		
New Hampshire	\$100,000		
New Jersey	\$306,677		
New Mexico	\$100,000		
New York	\$695,922		
North Carolina	\$326,980		
North Dakota	\$100,000		
Ohio	\$406,407		
Oklahoma	\$127,433		

Oregon	\$135,933
Pennsylvania	\$452,503
Rhode Island	\$100,000
South Carolina	\$160,224
South Dakota	\$100,000
Tennessee	\$221,104
	,
Texas	\$823,390
Utah	\$100,000
Vermont	\$100,000
Virginia	\$277,837
Washington	\$234,528
West Virginia	\$100,000
Wisconsin	\$199,998
Wyoming	\$100,000
Subtotal	\$11,691,154
American Samoa	\$100,000
Guam	\$100,000
Puerto Rico	\$138,538
U.S. Virgin Islands	\$100,000
Subtotal	\$438,538
TOTAL RESOURCES	\$12,129,692

# **Attachment B**

FY 2011 Assurance for the Help America Vote Act	
This is to certify that the State/Territory of under this Funding Opportunity Announcement accordance with Title II, Part 5, Subtitle D, 42 US 2002, Pub.L. No.107-252.	(HHS-2011-ACF-ADD-VOTE-0201) in
Secretary of State/ Director State Board of Elections	Date

# Please mail to:

Melvenia Wright
U.S. Department of Health and Human Services
Administration for Children and Families
Administration on Developmental Disabilities
370 L'Enfant Promenade, SW.
Mail Stop HHH 405-D
Washington, DC 20447

#### Attachment C

## CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. C. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. C. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature		
Title		
Organization		